

AN ORDINANCE

97475

**AUTHORIZING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT AND CONSENT (INCORPORATING INSTALLATION, MAINTENANCE AND REPAIR RIGHTS) TO PROVIDE ACCESS FOR THE SAN ANTONIO WATER SYSTEM (SAWS), ACTING THROUGH ITS CONTRACTOR, TO BE SELECTED THROUGH THE COMPETITIVE BIDDING PROCESS, TO INSTALL A WATER MAIN AT THE SAN ANTONIO POLICE DEPARTMENT VEHICLE STORAGE FACILITY AT 3625 GROWDEN ROAD IN COUNCIL DISTRICT 4; AUTHORIZING SAWS TO NEGOTIATE AND EXECUTE A DESIGN SERVICES AND CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$193,000.00 FROM 2001 FACILITIES IMPROVEMENT AND MAINTENANCE PROGRAM (FIMP) FUNDS FOR SUCH INSTALLATION BY THE CONTRACTOR; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS**, the SAPD vehicle storage facility located at 2625 Growden (also known as Growdon) Road receives impounded, auctioned, abandoned or confiscated vehicles and the personnel assigned to work at this facility must utilize bottle water since the water well servicing this building is declared non-potable; and

**WHEREAS**, a Right of Entry Agreement and Consent (Incorporating Installation, Maintenance and Repair Rights) must be secured from the City to allow access to the San Antonio Water System (SAWS), acting through its contractor, to be selected through the competitive bidding process, to install a water main at the San Antonio Police Department Vehicle Storage Facility in order to alleviate the need for bottled water; and

**WHEREAS**, SAWS must also be authorized to negotiate and execute a design services and construction contract in an amount not to exceed \$193,000.00, with such funds to be appropriated from 2001 Facilities Improvement and Maintenance Program (FIMP) funds for such installation by the contractor; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Execution by the City Manager or her designee of a "Right of Entry Agreement and Consent (Incorporating Installation, Maintenance and Repair Rights) is hereby authorized to provide access to San Antonio Water System to install a water main at the San Antonio Police Department Vehicle Storage Facility located at 3625 Growden (also known as Growdon). A copy of Right of Entry Agreement and Consent is attached hereto as Exhibit "A" and incorporated herein verbatim for all purposes

**SECTION 2.** SAWS is hereby authorized to negotiate and execute a design services and construction contract in an amount not to exceed \$193,000.00, such funds to be appropriated, as

indicated below, from 2001 Facilities Improvement and Maintenance Program (FIMP) funds for such installation by the contractor.

**SECTION 3.** The budget in Fund No. 29-008000, Special Revenue Reserve Fund, shall be revised by reducing Index Code 913640, entitled "Trf to Municipal Bdgs & Grounds", by the amount of \$193,000.00 and increasing Index Code 930800, entitled "Trf to 40-003026 Growdon Rd Vehicle Fac." The amount of \$193,000.00 is authorized to be transferred from Fund 29-008000 to Fund 40-003026.

**SECTION 4.** The budget in Fund No. 40-003026, Growdon Road Vehicle Storage Facility, shall be revised by increasing Index Code 127746, entitled Transfer from 29-008000 (40-003026), by the amount of \$193,000.00.

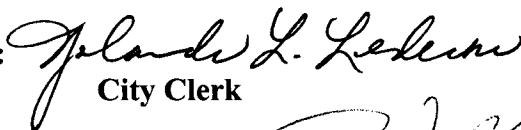
**SECTION 5.** The amount of \$193,000.00 is appropriated in Fund No. 40-003026 in Index Code 762872, entitled "Water Main Installation-SAWS", and is authorized to be encumbered and made payable to the San Antonio Water System in connection with the Growdon Road Vehicle Storage Facility project.

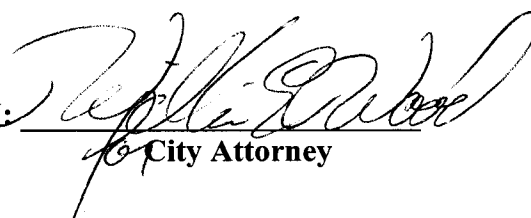
**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This ordinance shall take effect on April 27, 2003.

**PASSED AND APPROVED** this 17th day of April, 2003.

  
M A Y O R  
**EDWARD D. GARZA**

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney